

In the United States District Court
for the Southern District of Texas,
Houston Division

Mark Flora,

Plaintiff,

v.

Transocean Drilling (USA),
Inc., et al,

Defendants.

Civil Action No:
4:19-cv-02328
Jury Requested

**Second Joint Motion for Amended Rule 16
Scheduling Order**

To the Honorable Judge David Hittner:

Plaintiff, Mark Flora, and Defendants, Grand Isle Shipyard, LLC, Gulf Logistics Operating, Inc.; Gulf Logistics, LLC, and LLOG Exploration Offshore, LLC (erroneously named as LLOG Holdings, LLC); file this Second Joint Motion for Amended Rule 16 Scheduling Order and would respectfully show as follows:

On January 30, 2020, this court entered the Amended Rule 16 Scheduling Order in this Matter. *See* Doc. No. 34. In the Scheduling Order, the Parties are to file expert reports 60 days after their initial designations; Plaintiff's expert reports were due June 26, 2020; Defendants' expert reports are due July 28, 2020. However, the

discovery deadline currently June 30, 2020, making the depositions of any party's experts unfeasible. Additionally, Plaintiff's counsel has indicated the desire to take depositions of Defendants' corporate representatives, but the depositions have not been scheduled because of coronavirus-related shutdowns in Texas and Louisiana. At this time, the Parties believe that discovery could be completed before the December 2020 trial term.

This is the second Amended Docket Control Order requested by the Parties, who have met and conferred and propose the following deadlines:

- **September 30, 2020:** DISCOVERY shall be completed by this date.
- **October 30, 2020:** MOTION CUT-OFF. No motion, including motions to exclude or limit expert testimony under Fed. R. Evid. 702, shall be filed after this date except for good cause shown. See LR 7.
- **November 30, 2020:** The JOINT PRETRIAL ORDER shall be filed on or before this date notwithstanding that a motion for continuance may be pending. Parties shall exchange all trial

exhibits on or before this date notwithstanding that a motion for continuance may be pending. NO LATE EXCHANGES OF EXHIBITS WILL BE PERMITTED. All motions in limine shall be submitted with the pretrial order. Failure to file timely a joint pretrial order, motions in limine, or exchange all trial exhibits may result in this case being dismissed or other sanctions imposed, in accordance with all applicable rules.

- **December 2020:** TRIAL TERM. Cases will be set for trial at a docket call, conducted prior to the trial term or by order of the Court. Your position on the docket will be announced at that time.

Prayer

The Parties ask this Court to enter an amended Rule 16 Scheduling Order to extend the discovery period at least 90 days, and to grant any further relief, either in equity or at law, to which they are justly entitled to receive. These deadline extensions are not sought for the purposes of delay, but only so that justice may be done.

Respectfully submitted,

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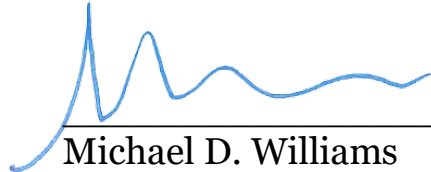
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Certificate of Service

I hereby certify that on June 30, 2020, I electronically filed the foregoing with the Clerk of Court by using the CM/ECF filing system. Notice of this filing will be sent to counsel for all parties by operation of the Court's electronic filing system and facsimile.



Michael D. Williams